

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PROGRESSIVE NORTHERN INSURANCE
COMPANY,

Plaintiff,

vs.

DANIEL BELTEMPO, FRANCINE BELTEMPO,
PAMJAM, INC., JILCO EQUIPMENT LEASING
COMPANY, INC., DANA'S PRO TRUCKING
INC., TRAILMOBILE CORP., TRAILMOBILE
PARTS AND SERVICE CORP., THERMO KING
CORP., INGERSOLL-RAND CO., LTD., and
THERMO KING CORP., A UNIT OF
INGERSOLL-RAND COMPANY LTD.,

Defendants.

Civil Action No. 07-CV-4033 (CS)

**CERTIFICATION OF PHILIP A.
BRAMSON**

PHILIP A. BRAMSON, of full age, certifies as follows:

1. I am an attorney at law admitted to practice before this Court and associated with the law firm of Schindel, Farman, Lipsius, Gardner & Rabinovich, LLP, attorneys for plaintiff Progressive Northern Insurance Company ("Progressive"). As such, I have personal knowledge of the matters stated herein. I make this Certification in support of Progressive's motion for summary judgment in the above-entitled matter.

2. A copy of the complaint in an action styled *Beltempo v. Dana's Pro Trucking, Inc., et al*, pending in the Supreme Court of the State of New York, Orange County, Index Number 7209-2005 (the "Underlying Action"), is attached hereto as Exhibit "A."

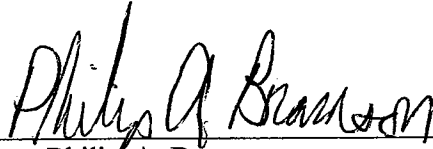
3. A copy of the Third-Party Complaint filed by Dana's Pro Trucking, Inc. ("Dana's") in the Underlying Action, dated April 14, 2006, is attached hereto as Exhibit "B."

4. A copy of Progressive motor vehicle liability insurance policy number 02121657-

1 is attached hereto as Exhibit "C."

I hereby certify that the above statements made by me are true. I understand that if any of the above statements made by me are willfully false, I am subject to punishment.

Dated: August 15, 2008

A handwritten signature in black ink, reading "Philip A. Bramson", written over a horizontal line.

Philip A. Bramson